



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

D. J. Biswas, J. P. Nilaya and A. Kumar

Appln. No.: 10/612,848

Filed: July 3, 2003

For: A PULSER DRIVEN, HELIUM FREE TRANSVERSELY EXCITED
ATMOSPHERIC-PRESSURE (TEA) CO2 LASER

Attorney Docket No.: 3875.023

PETITION UNDER 37 C.F.R. §1.53(e)

Mail Stop Petitions

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

With respect to the Notice of Incomplete Nonprovisional Application, mailed in the above-captioned application on October 2, 2003, Applicant hereby petitions the Commissioner under 37 C.F.R. §1.53(e). Applicant respectfully asserts that the pages at issue (six pages of drawings) were submitted with the application as filed on July 3, 2003. Therefore, Applicant petitions the Commissioner for a finding that the application is entitled to its original filing date of July 3, 2003.

The required petition fee under 37 C.F.R. §1.17(h) is enclosed herewith. Applicant requests that, contingent upon the granting of the present petition, the enclosed fee be refunded to deposit account number 16-0877 pursuant to 37 C.F.R. §1..

10/20/2003 WABDELRI 00000096 10612848

01 FC:1460

130.00 OP

Adjustment date: 12/18/2003 AKELLEY

10/20/2003 WABDELRI 00000096 10612848

01 FC:1460

-130.00 OP

Repln. Ref: 12/18/2003 AKELLEY 0012484100
DAH: 160877 Name/Number: 10612848
FC: 9204 \$130.00 CR

U.S. Application No.: 10/612,848
PETITION UNDER 37 C.F.R. §1.53(e)

Attorney Docket: 3875.023

In view of the above, Applicant respectfully asserts that the six pages of drawings at issue were received from the Applicant prior to the date of filing of the above-captioned application; were duly incorporated into the above-captioned application; were submitted to the U.S. Patent and Trademark Office on July 3, 2003; that the six pages of drawings were acknowledged to have been received by the U.S. Patent and Trademark Office.

Applicant therefore petitions the Commissioner under the provisions of 37 C.F.R. §1.53(e) for a finding that the above-captioned application is entitled to its original filing date of July 3, 2003.

Respectfully submitted,



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Date: October 14, 2003

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND											
1 Date of Request: <u>12/18/03</u>		2 Serial/Patent # <u>10/612, 848</u>									
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT							
	Filing			\$							
	Amendment			\$							
	Extension of Time			\$							
	Notice of Appeal/Appeal			\$							
<input checked="" type="checkbox"/>	Petition	—	10/16/03	\$ 130							
	Issue			\$							
	Cert of Correction/Terminal Disc.			\$							
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	Assignment			\$							
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	Overpayment	<input checked="" type="checkbox"/> Treasury Check									
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<input checked="" type="checkbox"/>	No Fee Due (Explanation):	9 <table border="1" style="display: inline-table; text-align: center; width: 150px;"><tr><td>1</td><td>6</td><td>--</td><td>0</td><td>8</td><td>7</td><td>7</td></tr></table>			1	6	--	0	8	7	7
1	6	--	0	8	7	7					
<u>Notice is vacated</u>											
11 REFUND REQUESTED BY: <u>C.T. Donnell</u>											
TYPED/PRINTED NAME: <u>C.T. Donnell</u>			TITLE: <u>Pat Atty</u>								
SIGNATURE: <u>C.T. Donnell</u>			PHONE: <u>306-5589</u>								
OFFICE: <u>4700</u>											
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APPROVED: <u>Alana Kelly</u>			DATE: <u>12/18/03</u>								

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